

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln. No. 10/648,280

**REMARKS**

Claims 1, 10, 11, and 13-15 are all of the claims pending in the application.

Claims 1, 10 and 11 presently stand rejected. Withdrawn claims 4-9 and 12 have been canceled, and new claims 13-15 have been added. Claims 1 and 13 are independent claims.

**Withdrawn Claims**

Claims 4-9 and 12 have been withdrawn from consideration as being drawn to a non-elected invention. Applicant hereby cancels these claims in view of the fact that divisional application No. 11/110,934 (filed April 21, 2005) includes original method claims 4-9.

**Claim Rejection Under 35 U.S.C. § 112**

Claims 1, 10 and 11 are rejected under 35 U.S.C. § 112, second paragraph. Specifically, the Examiner asserts that it is unclear how the adhesive film can be adhered to *both* the peeling sheet and the recording surface of an optical disk.

In response, Applicant has amended independent claim 1 to recite that the cover sheet is *configured to be adhered* via the adhesive film to a recording surface of a disk substrate of an optical disk. That is, when the recited cover sheet is still a part of the cover sheet package, and before it is adhered to the recording surface of the optical disk, the cover sheet includes an adhesive layer that is both adhered to a peeling sheet and *configured to be adhered* to the recording surface.

In view of this amendment Applicant respectfully requests that the Examiner withdraw this rejection.

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**Claim Rejection Under 35 U.S.C. § 103**

Claims 1, 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shigetomi et al. (6,287,661) in view of JP 2000-67468 (JP '468).<sup>1</sup>

With respect to independent claim 1, Applicant respectfully traverses this rejection at least because there is no combination of Shigetomi and JP '468 that would reasonably teach or suggest all of the claim's recitations. For example, there is no combination of Shigetomi and JP '468 that would reasonably teach or suggest the claimed cover sheet package in which the peeling sheet is adhered to the adhesive film of the cover sheet and the protective sheet is adhered to the resin film of the cover sheet so that the relationship *AP<sub>1</sub> (adhesive force for peeling sheet) ≤ AP<sub>2</sub> (adhesive force for protective sheet)* is satisfied.

Shigetomi discloses a *label* for an optical disk including a base sheet and an adhesive layer. A protective film (protective sheet) covers the base sheet, while a release liner (peeling sheet) is applied to the adhesive layer.<sup>2</sup>

The Examiner acknowledges that Shigetomi does not disclose that the label is adhered to the recording surface of an optical disk.<sup>3</sup> Therefore, the Examiner looks to the film of JP '468, which is adhered to the recording surface of an optical disk.

However, JP '468 does not make up for the deficiencies in Shigetomi. That is, there is no teaching or suggestion that Shigetomi's release liner (peeling sheet) is applied to the adhesive layer with an adhesive force that is *less than or equal to* the adhesive force of Shigetomi's

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<sup>1</sup> Cited in IDS filed October 16, 2006.

<sup>2</sup> See Shigetomi at 1:53-59; 2:55-61; and 3:52-57.

<sup>3</sup> See Office Action dated November 9, 2006 at page 4, lines 4-5.

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protect film (protective layer) to the base sheet (resin film). This deficiency is Shigetomi seems to exist because there is *no reason* why one of ordinary skill would want to ensure that the adhesive force for releasing Shigetomi's release liner is *less than or equal to* the adhesive force for releasing the protect film.

In contrast, with regard to the claimed invention, the cover sheet package is structured in the claimed fashion because the thin film cover sheet must be provided on the recording surface of the optical disk *very quickly* so that foreign matter, such as dust, does not adhere to and scratch the adhesive film.<sup>4</sup> Therefore, the recited peeling sheet must be removed quickly so that there is no adverse effect on the optical disk's performance, while the protective sheet can be removed later without exigency.

Moreover, there is no such exigency in the case of the *optical disk label* of Shigetomi, where adhering of the foreign matter to the *label side* of an optical disk is not such a concern. Accordingly, Shigetomi provides no teaching or suggestion regarding the recited relationship between adhering forces.

Therefore, for the reasons discussed above, Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1.

Moreover, Applicant respectfully requests that the Examiner withdraw the rejection of dependent claims 10 and 11 at least because of their dependency from claim 1.

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<sup>4</sup> See Original Specification at page 4, lines 11-24.

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New Claims

In addition, Applicant has added new independent claim 13, which recites features of both the cover sheet package and the optical disk, and new dependent claims 14 and 15. These claims further recite that the cover sheet is configured to be adhered via the adhesive film to a recording surface of a disk substrate of the optical disk *in a manner such that information recorded on the optical disk can be read.*

Applicant respectfully submits that new claim 13 is patentable at least because there is no combination of Shigetomi and JP '468 that would reasonably teach or suggest the claimed combination of a cover sheet package and optical disk, in which the peeling sheet is adhered to the adhesive film of the cover sheet and the protective sheet is adhered to the resin film of the cover sheet so that the relationship  $AP_1$  (adhesive force for peeling sheet)  $\leq AP_2$  (adhesive force for protective sheet) is satisfied, and 2) the cover sheet is configured to be adhered via the adhesive film to a recording surface of a disk substrate of the optical disk in a manner such that information recorded on the optical disk can be read.

In addition, Applicant respectfully submits that dependent claims 14 and 15 are patentable at least because of their dependency from claim 13.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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